

REMARKS

Claims 1-7 are pending in the application. Favorable reconsideration of the application is respectfully requested.

I. REJECTION OF CLAIMS 1-7 UNDER 35 USC §102(b)

Claims 1-7 remain rejected under 35 USC §102(b) based on *Okuda et al.* Applicants again respectfully traverse this rejection for at least the following additional reasons.

In responding to the first Office Action, applicants distinguished claim 1 over the teachings of *Okuda et al.* on the basis that the slanting post 99 of *Okuda et al.* could not serve to maintain the relative position of the arm section as recited in claim 1, regardless of whether the Examiner considers the slider 106 or the pivoting pinch arm 109 to represent the claimed pivotable arm section.

The Examiner responds to applicants' arguments based primarily on the following two assertions:

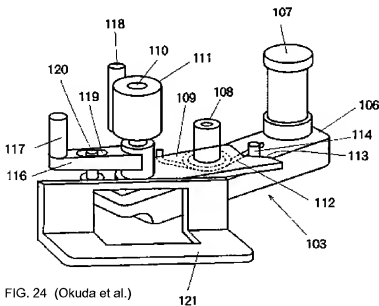
- (1) the mechanism shown in Fig. 24 of *Okuda et al.* is an arm section of the magnetic recording and reproducing apparatus, and the section is indeed pivoting about shaft 108; and claim 1 does not specifically define the part of the arm section that is pivoting (i.e., it does not discuss a tape guide section pivoting about a shaft as presented in the arguments); and
- (2) the Examiner finds the phrase "a relative position" very broad; maintaining section 99 maintains its relative position to shaft 108 which the Examiner considers part of the arm section of Fig. 24.

Applicants again respectfully submit that *Okuda et al.* does not teach or suggest "an arm section pivotable about a pivoting shaft with a tape guide section provided on the arm section for guiding a magnetic tape, as recited in claim 1.

(i) Claim 1 Inherently Recites the Tape Guide Section Pivoting About the Shaft

Regarding the Examiner's comment that claim 1 does not specifically define the part of the arm section that is pivoting (i.e., it does not discuss a tape guide section pivoting about a shaft as presented in the arguments), applicants respectfully disagree with the Examiner. Claim 1 admittedly does not expressly recite that the tape guide section pivots about the shaft. However, claim 1 does recite "an arm section *pivotable* about a pivoting shaft" (emphasis added). Claim 1 further recites "a tape guide section *provided on the arm section* for guiding a magnetic tape" (emphasis added).

Applicants respectfully submit that if the tape guide section is provided on the arm section, and the arm section is pivotable about a pivoting shaft, inherently the tape guide section as recited in claim 1 is pivotable about the shaft.



Consequently, applicants reiterate that the tape guide roller 107 in Fig. 24 of *Okuda et al.* (reproduced above) is provided on the slider 106. The slider 106 does not pivot about shaft 108. The shaft 108 is implanted in the slider 106. It is pinch arm 109

in Fig. 24 that pivots about the shaft 108. (See, e.g., column 17, lines 16-32). Thus, if the tape guide roller 107 is on the slider 106, and the slider 106 does not pivot about the shaft 108, the tape guide roller 107 does not pivot about the shaft 108. This is directly contrary to the position taken by the Examiner in rejecting claim 1.

Even more specifically, the guide mechanism 103 on which the tape guide roller 107 is provided includes a slider 106 that moves along the guide slot 102 in the deck base 81 (see, Col. 17, Ins. 16-25 of Okuda et al). For example, Figs. 23-25 illustrate how the guide mechanism 103 slides from a bottom end of the guide slot 102 in an unloaded state to a top end of the guide slot 102 in a loaded state via the slider 106. Therefore, if the Examiner interests the guide mechanism 103 as an "arm section", such guide mechanism 103 has not been found to be pivotable about the shaft 108.

Thus, in *Okuda et al.* neither the guide mechanism 103 (for which the Examiner alleges to be the "arm section") nor the guide roller 107 (for which the Examiner alleges to be the "tape guide section") have been found to pivot about the shaft 108. Instead, it is the pinch arm 109 that pivots about the shaft 108 implanted in the slider 106 (see, Col. 17, Ins. 16-25). Therefore, *Okuda et al.* does not teach or suggest an arm section pivotable about a pivoting shaft and a tape guide section provided on the arm section for guiding a magnetic tape as recited in claim 1.

(ii) Claim 1 Calls for Maintaining Section to Maintain a Relative Position of the Arm Section to the Capstan Section

The Examiner's noted reasons for maintaining the rejection suggests that the Examiner may have misinterpreted the language of claim 1. When interpreted correctly, applicants respectfully submit that "a relative position" is not unduly broad and further distinguishes the present invention over the teachings of *Okuda et al.*

The Examiner asserts that the phrase "relative position" in claim 1 is very broad and then states that *Okuda et al.* discloses that a "[m]aintaining section 99 maintains its

relative position to shaft 108 which the Examiner considers part of the arm section of Fig. 24". (Emphasis Added) (O.A., p. 5).

Applicants respectfully submit, however, that claim 1 recites "the maintaining section maintains a relative position of the arm section ... to the capstan section". For example, as an illustrative example, the "maintaining section" is a V-shaped groove section 71 and the specification discloses that the V-shaped groove 71 holds a tip 63 of the T3 post arm 58 ("arm section"), and thus maintains a relative position of the T3 post arm 58 (see, e.g., Spec., p. 13, ln. 21 to p. 14, ln. 8; Figs. 3 and 4).

That is, claim 1 calls for the maintaining section to *maintain a relative position of the arm section to the capstan section*. Claim 1 does not simply recite that the maintaining section (99 in *Okuda et al.*) maintain its (i.e., its own) relative position to the shaft 108 as interpreted by the Examiner.

Consequently, applicants reiterate that slanting post 99 (Fig. 29 of *Okuda et al.*) does not represent a maintaining section as recited in claim 1. The slanting post 99 could not serve to maintain the relative position of the arm section as recited in claim 1, regardless of whether the Examiner considers the slider 106 or the pivoting pinch arm 109 to represent the claimed pivotable arm section.

Applicants reiterate that Fig. 29 of *Okuda et al.* illustrates how the slanting post 99 merely serves to guide the tape adjacent to the pinch roller 111. The position of the purported arm section in *Okuda et al.* (e.g. the slider 106 or the pivoting pinch arm 109) would be free to vary from the perspective of the slanting post 99. Conversely, Fig. 4 of the present application illustrates how the V-shaped groove section 71 secures the relative position of the post arm 58 when in the position at which the information recording to and/or information reproduction from the magnetic tape is possible. The slanting post 99 in *Okuda et al.* does not maintain a relative position of the arm section as recited in claim 1.

For at least the above reasons, applicants again respectfully submit that *Okuda et al.* does not teach or suggest the features recited in claim 1. Claims 2-7 each depend from claim 1 either directly or indirectly, and may be distinguished for at least the same reasons.

Applicants therefore respectfully request withdrawal of the rejection.

II. CONCLUSION

Accordingly, all claims 1-7 are believed to be allowable and the application is believed to be in condition for allowance. A prompt action to such end is earnestly solicited.

Should the Examiner feel that a telephone interview would be helpful to facilitate favorable prosecution of the above-identified application, the Examiner is invited to contact the undersigned at the telephone number provided below.

Should a petition for an extension of time be necessary for the timely reply to the outstanding Office Action (or if such a petition has been made and an additional extension is necessary), petition is hereby made and the Commissioner is authorized to charge any fees (including additional claim fees) to Deposit Account No. 18-0988.

Respectfully submitted,

RENNER, OTTO, BOISSELLE & SKLAR, LLP

/Mark D. Saralino/

Mark D. Saralino

Reg. No. 34,243

DATE: April 23, 2007

The Keith Building
1621 Euclid Avenue
Nineteenth Floor
Cleveland, Ohio 44115
(216) 621-1113